

LABOR LEADERS LOSE

Gompers, Morrison and Mitchell Not Sustained in Appeal.

ONE APPEAL YET FOR THEM.

Penalty of Imprisonment by Lower Court, For Contempt to be Fought to the End.

Washington, Special.—The decree of the Supreme Court of the District of Columbia adjudging President Samuel Gompers, Secretary Frank Morrison and Vice President John Mitchell of the American Federation of Labor guilty of contempt of court in the Buck's Stove and Range case was affirmed Tuesday by the court of appeals of the District of Columbia. The case will now be taken to the Supreme Court of the United States.

Chief Justice Sheppard dissented from the opinion of the court on constitutional grounds.

The court held that the fundamental issue was whether the constitutional agencies of the government should be obeyed or defied. The mere fact that the defendants were the officers of organized labor in America, said the court, lent importance to the cause and added to the gravity of the situation, but it should not be permitted to influence the result.

Court's Decision.
"If the organization of citizens, however large," the court held, "may disobey the mandates of the court, the same reasoning would render them subject to individual defiance. Both are subject to the law and neither is above it. If a citizen, though he may honestly believe that his rights have been invaded, may elect who and to what extent he will obey the mandates of the court and the requirements of the law as interpreted by the court, instead of pursuing the orderly course of appeal, not only the courts but government itself would become powerless and surely would be reduced to a state of anarchy."

The action of the Supreme Court of the District of Columbia in sentencing Samuel Gompers, John Mitchell and Frank Morrison of the American Federation of Labor to 12, 9 and 6 months' imprisonment in jail respectively, was the result of the failure of these three defendants to obey the order of the court directing them to desist from placing the Buck's Stove & Range Company of St. Louis, Mo., on their unfair list in the prosecution of their boycott against the corporation.

While the name of the corporation was removed from the unfair list of the federation, Messrs. Gompers and Mitchell continued to keep alive the boycott by frequent references to it in the Federationist, the official organ of the federation. Mr. Mitchell was involved in the trouble by reason of his membership on the executive board of the federation and because it was alleged he had made no effort to prevent the adoption of a resolution at the convention of the United Mine Workers of America in antagonism to the Buck's Stove & Range Company. The result of the boycott, it was said, was to cause a decline in the business of the stove and range company of 50 per cent.

"Come boycott placed by the federation against the products of the original Stove & Range Company grew out of a fight made by the metal polisher's union and supported by the federation for an eight instead of a one hour day. This was resisted by the company and the Federationist published the name of Bucks Stove & Range Company under the caption of 'We Don't Patronize.'"

Gompers' Comment on Decision.
New York, Special.—President Samuel Gompers of the American Federation of Labor, issued a statement, but he did not make a public comment on the decision.

FARMERS the respect to the major reach 25,000 I cannot surrender quite a lot of guaranteed rights beal, yet, but I will issue an injunction denying these rights. **Durban** running the Sheppard's dissenting in defense of the constitutional and inherent rights. Minority opinions of courts in the past in which human rights have been invaded have ultimately prevailed, become the law of the land and the generally accepted rule of life, and I have an abiding faith that the rule in this case will prove no exception.

"If I must go to jail I shall have the consciousness of the fact that other men have in the past been compelled to suffer in defense of justice and right in the cause of humanity and for the maintenance of human liberty."

"I intend to stay over here Wednesday to finish my report for the annual convention at Toronto and also to attend the wedding of the daughter of my dear friend of mine. This has been to change my plans for years and I can get into the jurisdiction of disposal is made."

Leave's Comment.
Special.—J. W. Van Cleave, president of the Buck's Stove and Range Company, Tuesday in a statement concerning the decision in the case of Gompers, Morrison and Mitchell, said:

"The assault upon me by the American Federation of Labor in 1906 plotted in cold blood. I was assaulted not as an individual but as

president of the National Association of Manufacturers. The federation did this in order to show its power. It aimed to strike terror into everybody outside its own ranks—workers, employers and the general public alike, and to coerce the President of the United States, the Congress and the courts, Federal and State, to do its bidding.

"It must be remembered that these men are not convicted because of their attempt to destroy the business of the Buck's Stove and Range Company but because they openly defied the order of the Federal court."

SOME GAMES AT STATE FAIR.

Basket Ball Easily Won.

The Carolina basketball five fell an easy prey to the Davidson team Tuesday at the fair grounds. The final score was 29 to 8 in favor of the Presbyterians, who made most of their points on field goals. Carolina's eight points were gained on foul goals. She failed to make a single goal from the field.

In spite of the score the contest between the North and South Carolinians was an interesting one. The field goal throwing of McDuffie and Miles was spectacular at times. They tossed the ball into the basket from seemingly impossible positions and did the star work for the visitors. Capt. McClintock of Davidson made a field goal from near the middle of the field. The visitors were much stronger on team work than Carolina.

For the university the foul goal throwing of Capt. White was the feature. He scored for Carolina seven out of a possible 13 times. The game was marred by rain and a rough field. During the second half the ball was almost too slippery to hold.

Football a Tie.

The Davidson-Citadel football game played on the fair grounds Wednesday morning resulted in a tie score, 0 to 0. The game was played to a stand still, neither side being able to get the ball across the goal lines. The teams were well watched, as the final result showed.

It was a case of Greek meet Greek and the fight was fierce and furious all the time. Both teams showed a versatility of offensive play and were strong on the defense. Time after time each team resorted to the kick to gain the required ten yards.

The first few plays were rather ragged, but the teams soon settled down to steady work and many beautiful plays were pulled off by both sides. The Citadel team work was something good to see. They worked as one man, getting off the plays with snap and ginger. The ball was no sooner down than the players got into motion. Davidson was no less nifty, but they were a little slower in getting off their plays.

The great work of Dunn, Elliott, Paden for Davidson was a feature of the game, while Riddle, Nichols and Duckett starred for the Citadel. However, it was not a game of stars, for eleven men on each side were working all the time, and it is to the good team work of each that no score was recorded on either side.

The game was a medley of line plunges, end runs, forward passes and punts. No one form was adhered to by either side, though Davidson punted often, relying on her ends to recover.

NEWSY GLEANINGS.

The body of Prince Ito was taken to Tokyo.

United States Steel common stock has been placed on a four per cent. basis.

The Italian military dirigible One Bis flew from Bracciano to Naples, 190 miles.

Two bombs were exploded in buildings in Chicago occupied by gambling clubs, making thirty-two similar explosions.

Principal Anna S. Gibson, of St. Mary's Cathedral School, Garden City, L. I., dropped dead in the presence of her pupils.

Frederick Gehard, wife murderer, was committed to jail to await the action of the Grand Jury of Suffolk County, Long Island.

Trable to sell \$7,000,000 worth of gems they stole from a monastery in Poland, the robbers tried to sell the jewels back to the monks.

John Guiselm, a notary public and real estate dealer, was murdered with a piece of gaspipe in his home in Clason Point Road, the Bronx, New York.

Miss Eleanor Lawson asked the Government for permission to encase some of the students at the Carlisle Indian School to present a play of Indian life.

A "white slave" trader, Claude Villet, who conducted dens in several Western cities, was sentenced in New York City by Judge Holt to two years in prison.

Twelve unknown foreigners were killed in the Cambria Steel Company's coal mine near Johnstown, Pa., as the result of what is supposed to have been a dynamite explosion.

Three steamships loaded with wines reached the port of New York in time to avoid payment of the new duties. La Touraine's captain sped up the bay in a tug to run no risk of being too late.

JUSTIFIABLE INDIGNATION.

Old Rooster—What do you think you are going to hatch out of that doorknob and that piece of brick?

Old Hen (fiercely)—I'll hatch a sky-scraper if I want to. You go and attend to your own affairs. I'm running this branch of the business.—Chicago News.

No race is safe from cholera. It is deadliest to negroes.

THE LAW'S DELAY OR--



Sparing the Rod.
—Cartoon by G. Williams, in the Indianapolis News.

WHAT'S THE MATTER WITH PRESENT-DAY FOOTBALL GAME?

New Rules Needed to Lessen Chances of Fatal Injuries—Death of Cadet Byrne Leads to Changes at Conference to Be Held—Up to Rules Committee to Save Game or Abolish It—Expressions From College Centres.

DEATH LIST IN THREE GREAT SPORTS.

The following table gives the comparative number of deaths in baseball, football and automobilism since 1905:

Year.	Base-ball.	Foot-ball.	Auto.	Tot.
1905.....	11	21	—	32
1906.....	19	16	3	38
1907.....	13	13	7	33
1908.....	42	21	8	71
1909.....	39	11	16	66
Totals.....	115	82	34	227

New York City.—The unfortunate and untimely death of Cadet Byrne has focused American attention on football as it is played to-day and given to it the worst black eye it has had in many a year. For coupled with the West Point fatality is the case of Midshipman Earl Wilson, the Navy quarterback, who was probably mortally injured in a flying tackle in the Annapolis-Villanova game.

The unfortunate accidents have excited interest all over the country, and the question that is being asked: "Are such accidents avoidable?" is being answered in the negative.

As a result of the death of Cadet Byrne, of West Point, and the dangerous injury to Midshipman Wilson, of Annapolis, in games of football, it is likely some action will be taken by the college football conference association to eliminate certain rough features of the present game.

Four years ago, after the death of Harold Moore, of Union College, who was injured in a game with New York University on Ohio Field, a conference of universities and colleges was called by Chancellor MacCracken, of New York University, which practically revolutionized the game. Mass plays have given way for the greater part to more scientific methods and greater stress has been laid, experts say, on speed than on weight. It was thought the new rules of open play, the forward pass and the outside kick would minimize the danger of the sport.

It has been said that the greatest of injuries come from the bruising mass plays, but it is pointed out in a very significant manner by those opposed to even the so-called new game, that Villanova has a lighter team than the Navy, and that the weight question, therefore, can hardly enter into the present discussion.

The opinion was general among all the ex-college players seen that the trouble lies not in the differences of weight, not in the differences in methods of training—for it is pointed out that the best conditioned under-graduate bodies in the world are the corps of cadets at West Point, and the brigade of midshipmen at Annapolis—not in inferior football knowledge, not in any of the usually accepted theories, but in the rules themselves.

There never was a harder player, a more difficult man to stop, or one who knew more of the ins and outs than mass playing under the old rules than Robert P. Kernan, of Harvard. In discussing the new game, as opposed to the old, with particular regard as to whether the rules had been really revised, he said:

"They say they've opened the game. Maybe they think they have. But just look carefully at the penalties that surround an incomplete forward pass. On the first and second downs an incomplete forward pass entails the loss of fifteen yards. Well, a team's hardly going to take a chance on that play; then, when it has, it is backed up somewhere near its own goal line or even in its own territory anywhere when it's played against an opponent of nearly equal strength. It would indeed be too hazardous.

"Again, on the third down, if a team tries to pull off the forward pass and it falls to the ground, the

Cornell Scientist Compares Football to Bull-Baiting and Prize Fighting.

Ithaca, N. Y.—Burt G. Wilder, the Cornell scientist, attacked football again, advocating its abolishment. While he declared that the recent casualty had no particular influence on his mind, he hoped the views of other men might be changed.

He said he would rather encourage bull-baiting and prize fighting than football on the ground that resultant deaths would help the community. He used one of his favorite terms, calling football a relic of barbarism.

ball goes to the opponents on the spot where the ball was put in play for that third down. Who's going to try a forward pass under such conditions? Naturally enough, since they are hampered by such a rule, a team in its own territory has simply got to stick to line bucking on the first two downs and punting on the third."

Asked how he would remedy this difficulty, Mr. Kernan said: "Easy and simple. Let them remove these penalties, or else modify them."

No Remedy, Says Coach Warner.
Carlisle, Pa.—Glenn S. Warner, the Carlisle Indian football coach, said:

"Of course football is a rough game and there is an element of danger in it, probably but little more so than in other branches of athletics. It is simply an unfortunate coincidence that these accidents have happened. They are not due to any radical fault in the game, and I don't see any way to remedy the rules to make football less rough, although I think changes can be made in the rules to make it a better game."

Principal Wants to Stop the Game.
Brooklyn, N. Y.—Dr. William Fairley, at Commercial High School, Brooklyn, said:

"I thoroughly disapprove of football, and I wish I could stop it immediately. It is rough and brutal and should be abolished. I am writing to the parents of the football players in my school, hoping that enough will prohibit their sons from playing so that the team will break up. I am also demanding a signed statement from the family physicians declaring the candidates to be physically fit to play."

Fighting Safer Than Football.
Pittsburg, Pa.—Because of the recent football fatalities, Samuel Andrews, superintendent of the public schools of Pittsburg, took a decided stand against the game, and it is probable that every influence will be brought to bear for the suppression of football here.

"I think fighting is a better sport," said Superintendent Andrews. "Too many young men are killed and seriously injured in football, and the game should be done away with."

No Remedy, Says Referee Sharpe.
Philadelphia, Pa.—Dr. A. L. C. Sharpe, the famous Yale player of the '90's, now acting as athletic director at the William Penn Charter School in Philadelphia, who served as referee of the Harvard-West Point game, stated that the fatality was due to an "unfortunate accident as distressing as unavoidable."

"There was no fault of the coaches that contributed to Byrne's death. I noted that he was in fine physical shape, in perfect health, I might say. I was behind the Harvard line at the time of the accident. Just as soon as the ball was snapped back Byrne dove in between left tackle and guard. The Harvard players moved right on and Byrne was stretched on the field. The whole thing occurred so quickly that no one will ever know just how it did actually occur. It was not due to the roughness of the game, for I have seldom officiated in a football game which was so cleanly and fairly played. There was not the faintest indication of unnecessary violence, and no uncalled for piling upon the player after he had been thrown."

"Can you suggest any modification of the rules which might insure more safety to the players?" was asked.

"No," was Dr. Sharpe's emphatic reply. "Most of the injuries in football to-day result from tackles, and if you were to eliminate tackling you could not play football. Personally I think that all the criticism of football and present football rules is undeserved. Football is too firmly established as a sport of the colleges to be abolished because of fatal injuries in rare instances."

Yale Men to Be Carefully Watched
For Signs of Exhaustion.

New Haven.—Although no Yale football officials admit need of football reform, two strict innovations will mark Yale's remaining games of the season. No diving tackles will be allowed, and Mack, the trainer, will promptly remove any player who shows signs of exhaustion.

It is certain that the Yale faculty will hold a protracted discussion on football, but will not act until they note how many players are injured in the remaining games.

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over \$110,000,000 on the army and land defense, and over \$96,000,000 on the navy and naval defenses.

Only 28 per cent of our national revenue is available for national administration. And it must be remembered that we are just beginners in this war game of beggar my neighbor. England is increasing her burden; Germany is increasing her burden; Japan is increasing her burden; we seem destined to do as those countries are doing; and the dreary competition will go on until the cost of it becomes intolerable to some civilized country, and our billions of dollars of preparation will vanish in the flame and anguish of war. Think of it deliberately and it is an inconceivable condition; but it is actually a pregnant and pitiable fact.—From the Denver Post. So. 43-709.

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